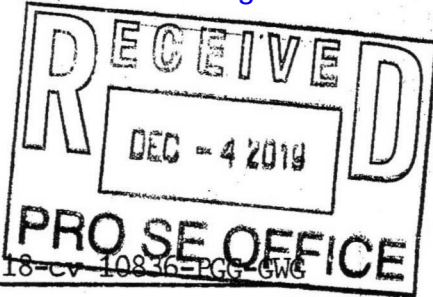


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<p>Martin S. Gottesfeld, pro se, Plaintiff - against - Hugh J. Hurwitz, et al., Defendants</p>
--

Case No.: 18-cv-10836-PGG-GWG



MOTION FOR COPY OF GOVERNMENT'S LETTER

Plaintiff Martin S. Gottesfeld (herein "plaintiff"), acting pro se, hereby moves The Honorable Court to order The Clerk of The Court to mail the plaintiff a copy of the government's previous March 21, 2019, ex parte letter, referenced by The Court as "Govt. March 21, 2019 Ltr. (Dkt. No. 65)" in docket entry (D.E.) 66 at 4.

Government's counsel at the time requested, and The Court allowed, this filing to be made ex parte for security reasons because the plaintiff was not allowed to know the date of this then-pending transfer to FCI Terre Haute before the transfer took place. D.E. 19 at 1 n. 2. That need for secrecy is now no longer applicable. The ex parte submission was never ordered sealed. It is a judicial document. D.E. 21 and D.E. 66 at 4.

The plaintiff, having never seen the government's letter, would like an opportunity to address through the adversarial process any extraneous information that government's counsel may have submitted ex parte to The Court in this filing, which then remained off the record until July 29th, 2019 (please see docket report, date of D.E. 65).

Respectfully mailed and filed pursuant to the prison-mailbox rule of Houston v. Lack, 487 U.S. 266 (1988) on Tuesday, November 19th, 2019, in an envelope bearing sufficient affixed pre-paid first-class U.S. postage and

U.S. Postal Service tracking number 9114 9023 0722 4291 7459 89, handed at the MEMO ENDORSED

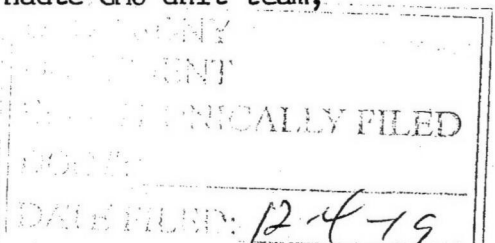
next opportunity to Ms. J. Wheeler of the FCI Terre Haute CMU unit team, The Application is granted.

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated: Dec 10, 2019

- Page 1 of 2 -



in her official capacity as an agent of the defendants,

by: 

Martin S. Gottesfeld, pro se
Reg. No.: 12982-104
Federal Correctional Institution
P.O. Box 33
Terre Haute, IN 47808

CERTIFICATE OF SERVICE

I, Martin S. Gottesfeld, certify that on Tuesday, November 19th, 2019, I mailed a copy of the foregoing document to counsel for the defendants in the above-captioned case by handing such copy in an envelope bearing sufficient affixed pre-paid first-class U.S. postage to Ms. J. Wheeler of the FCI Terre Haute CMU unit team at the next opportunity for mailing in her official capacity as an agent of the defendants,

by: 

Martin S. Gottesfeld, pro se

Correctional Institution
33
ite, TN 47808



ED STATES
M SERVICE

PS TRACKING #

23 0722 4291 7459 89

Label with Jan 2019
PSN 01-000-0000

12982-104
U S District Court
Pro Se Clerk
500 Pearl ST
NEW YORK, NY 10007
United States

US MAIL

Tuesday, November 19th, 2019, Houston, TX, 487 G.S. 246 (1989)

RECEIVED
DEC - 4 2019
PRO SE OFFICE